

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MERRIJANE HAYES,

Plaintiff,

v.

BLACK OAK MINE UNIFIED SCHOOL  
DISTRICT,

Defendant.

No. 2:22-cv-1079-CKD

ORDER

This action was assigned to the undersigned Magistrate Judge under the court's automated case assignment plan. See Local Rules, Appendix A, subsection (m). Under the current Initial Scheduling Order, the filing of an answer to the complaint triggers a 30-day deadline for the parties to file a joint status report addressing the subjects listed in Local Rule 240(a) to assist the court in setting a scheduling order for the case. (ECF No. 3, ¶ 3.) Because defendant filed an answer on July 21, 2022 (ECF No. 7), the parties' joint status report is due on or before August 22, 2022.

However, this deadline depends on whether all parties intend to consent to the jurisdiction of a Magistrate Judge for all purposes, including for the entry of final judgment. See 28 U.S.C. § 636(c). The parties received information about the option to consent to such jurisdiction and the Consent/Decline form to notify the Clerk of the Court of their election. (ECF No. 3.1.)

1 However, no Consent/Decline form has yet been filed by any party. There is no obligation to  
2 consent, and no judge will be notified of a party's decision unless all parties have consented. See  
3 Fed. R. Civ. P. 73(b)(1). Still, there is an obligation for each party to inform the court of their  
4 decision whether or not to consent to Magistrate Judge jurisdiction for all purposes.

5 That consent/decline election allows for proper case assignment and administrative  
6 processing. For instance, if all parties consent, then this case will proceed before the undersigned,  
7 in which circumstance it is appropriate for the undersigned to set the case schedule—based on the  
8 information provided in the forthcoming joint status report. If all parties do not consent,  
9 however, the case will be reassigned to a random District Judge as presiding judge, with the  
10 undersigned continuing for the referral purposes set forth in the Local Rules. In that  
11 circumstance, the District Judge will direct the case's scheduling, and there would be no need for  
12 the parties to provide a joint status report to the undersigned by the current deadline.

13 Accordingly, it is HEREBY ORDERED that:

- 14 1. No later than **August 8, 2022**, all parties shall file their completed Consent/Decline  
15 form;
- 16 2. Should all parties choose to consent to Magistrate Judge jurisdiction for all purposes,  
17 the parties shall file their joint status report as originally ordered, no later than  
18 **August 22, 2022**, or shall timely request an extension of that deadline;
- 19 3. In the event that at least one party declines Magistrate Judge jurisdiction, no joint  
20 status report is required, as the case will then automatically be reassigned to a District  
21 Judge.

22 Dated: July 26, 2022

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24 CAROLYN K. DELANEY  
25 UNITED STATES MAGISTRATE JUDGE  
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